

# DOT Law Library Newsletter

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## Library News

### COAST GUARD LIBRARY STAFF MEMBER RETIRES

Rowena Robinson, Technical Information Specialist at the Coast Guard Law Library retired as of March 1, 2002. Rowena had been serving the legal reference and research needs of the Coast Guard for the past sixteen years. She began her career at the DOT Headquarters Library in 1970 working in Technical Services. Rowena's interest in legal research started in the mid-seventies when she started compiling legislative histories under the direction of Oscar Strothers, a former Law Librarian at the DOT Headquarters Library. Rowena attributes much of her interest and development within the area to the supportive mentoring of Mr. Strothers. As a result of his encouragement, she completed the Certificate Program in Library Science at the USDA Graduate School as well as courses in legal research at Southeastern University. In her retirement, Rowena plans to be very active in a wide range of arts and crafts that she has developed over the years. She is currently planning a crafts show that will be held in New York City this coming August.

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## Selected Law Library Acquisitions

### Headquarters:

Administrative Law Treatise. 4<sup>th</sup> Ed. (2002) R.Pierce. New York: Aspen Law and Business. [LAW KF 54502.D32]

Basic Collision Analysis and Scene Documentation. 2<sup>nd</sup> Ed. (1999). D. Casteel and S. Moss. Tucson, AZ: Lawyers & Judges Publishing Co. [Law 8079.55.C37]

Bus and recreational Vehicle Accident Reconstruction and Litigation. (2000) R.S. Hickman and P.F. Hill. Tucson, AZ: Lawyers & Judges Publishing Co. [LAW KF 2260.H53]

The Complete Guide to the Hazardous Waste Regulations: RCRA, TSCA, HMTA, OSHA, and Superfund. 3<sup>rd</sup> Ed. (1999). T.P. Wagner. New York: John Wiley & Sons. [LAW KF 3946.W34]

Eyewitness Reliability in Motor Vehicle Accident Reconstruction and Litigation. (2001) P.Robins. Tucson, AZ: Lawyers & Judges Publishing Co. [LAW K 946.A8 R63]

A Guide to Federal Sector Labor Arbitration. 2<sup>nd</sup> Ed. (1999) E. Hadley. Arlington, VA: Dewey Publications. [LAW KF 3450.P8 H3]

A Guide to the Whistleblower Protection Act & Related Litigation. (2001). R. Fowler and R. L'Heureux. Arlington, VA: Dewey Publications. [LAW KF 3471.F69]

Low Speed Automobile Accidents: Investigation, Documentation and Case Preparation. P. Rast and R. Stearns. Tucson, AZ: Lawyers & Judges Publishing Co. [LAW KF 8079.55.R37]

Motorcycle Accident Reconstruction and Litigation. 2<sup>nd</sup> Ed. (1999). K.Obenski and P. Hill. Tucson, AZ: Lawyers & Judges Publishing Co. [LAW KF 2220.M6 024]

Prince's Bieber Dictionary of Legal Citations. 6<sup>th</sup> Ed. (2001). M.M. Prince. Buffalo, NY: William S. Hein. [LAW REF KF 246.P73]

### FAA:

Administrative Law Treatise. 4<sup>th</sup> Ed. (2002). R. Pierce. New York: Aspen Law and Business. [LAW KF 5402.D32]

The Founder's Constitution. (1987) Edited by P. Kurland and R. Lerner. Indianapolis, IN: Liberty Fund [LAW KF 4502.F68]

## A New Web Site to Watch

<http://faa.gov/agc>

### FAA Chief Counsel Web Site

The FAA Office of Chief Counsel has a new and very useful website. The site is divided into three major sections: AGC News, AGC Office Directory and Legal and Other Useful Links. The AGC News section contains General Press Releases back to 1995 and Enforcement Press Releases back to 1997. The AGC Office Directory section provides an annotated organizational guide of the divisions, offices and branches that define the legal role of the 290 attorneys and support staffs that makes up the Office of Chief Counsel. The Legal and Other Useful Links section includes but is not limited to such on-line resources as FAA orders, regulations and enforcement information as well as international law and labor links. Probably one of the most practical aspects of this website to FAA employees and the public alike are the Civil Penalty Decisions back to 1989 and plans to have both the Chief Counsel Interpretations and the Airport Compliance Decisions in the not too distant future. Anthony Palladino, the Director of the Office of Dispute Resolution (ODRA) and the person who has orchestrated the construction of this web site has stated that he would like the Chief Counsel web site to be the first on-line resource for the Chief Counsel Interpretations. Frank San Martin, Manager of the Airports Law Branch has assured this column that the Airport Compliance Decisions will be ready to be placed on the Chief Counsel's web site in the very near future.

## Research and Reference Corner

### FOIA Policy after 9/11 and the Trade Secrets Act

The Library of Congress General Counsel's Office and the Federal Library and Information Center Committee

(FLICC) sponsored a Forum on FOIA Policy on Friday, March 1<sup>st</sup> at the Law Library of Congress. Terry Dempsey, the Law Librarian at the FAA Law Library attended the Forum armed with FOIA questions that have arisen in the DOT Libraries in the recent past. The featured speaker at this two-hour session was Dick Huff, the Co-Director of the Office of Information and Privacy (OIP) in the U.S. Department of Justice. OIP is responsible for providing government-wide guidance to Executive Branch agencies on the FOIA. Besides providing various publications and training, OIP has a very useful web site at:

<http://www.usdoj.gov/foia>

Here are the questions and responses from Mr. Huff:

- (1) Question: Are we required to provide copies on cases or reports about the Department of Transportation that are already in the public domain?
- (1) Answer: Mr. Huff began by stating that this was a "depends" answer. Information can be in the public domain but not necessarily easily accessible. He referred to a case where a judge ruled that unpublished cases that were technically available to the public could still be the subject of a FOIA request. Mr. Huff used information published in the Federal register as an example of information in the public domain that would not be an appropriate subject of a FOIA request
- (2) Question: Are we required to certify a report or study and what are the legal ramifications of doing so?
- (2) Answer: Mr. Huff responded with an immediate unqualified no to this question. However, certification can be required by a federal agency.

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(3) Question: Is it correct that a person making a FOIA request must ask for a specific document or documents and that we are not required to do an exhaustive subject search for a more general description of information that is being requested?

(3) Answer: Mr. Huff stated that "a person making a FOIA request does not have to ask for a specific document nor does the person receiving the request have to do an exhaustive subject search for a general description of information. The rule under FOIA is that the person making the request must **reasonably describe the document.**"

## Training

### CLE Lexis Courses Available at DOT

Starting this spring, DOT attorneys can attend LexisNexis training sessions and get continuing legal education credits at the same time! The DOT Library will host an additional series of training sessions structured specifically to meet requirements for CLE credits. These courses will be in addition to the previously scheduled Lexis training sessions.

Sessions will be offered at the Nassif and 10A buildings and there is no cost to the attorneys. A range of courses will be offered, including basic Lexis searching, citation checking tools, and legislative research. Courses will be offered on a regular basis, throughout the year. [Dates and times to be announced.]

Please contact Rosalind Romain at 6-0749 or [rosalind.romain@tasc.dot.gov](mailto:rosalind.romain@tasc.dot.gov) for more information.

## CALENDAR OF EVENTS

### LEXIS NEXIS TRAINING

DATE: MARCH 20, 2002

PLACE: ROOM 7234, NASSIF BUILDING

TIME: 12:00 AM – 1:00 PM

Legislative History of the DOT Appropriations Act of 2002 on Lexis.com.

### LEXIS NEXIS TRAINING

DATE: APRIL 2, 2002

PLACE: ROOM 8A, 10A BLDG.

TIME: 11:00AM -1:00PM

SHEPARDIZING ON LEXIS.COM

### LEXIS NEXIS TRAINING

DATE: APRIL 17, 2002

PLACE: ROOM 7234, NASSIF BUILDING

TIME: 12:00 AM – 1:00 PM

Searching Secondary Legal Sources on Lexis.com.

### LEXIS NEXIS TRAINING

DATE: MAY 7, 2002

PLACE: ROOM 5A, BLDG. 10A

TIME: 11:00AM-12:30PM

BASIC LEGAL SEARCHING ON LEXIS .COM

### LEXIS NEXIS TRAINING

DATE: MAY 15, 2002

PLACE: ROOM (TBA) NASSIF BUILDING

TIME: 12:00 AM – 1:00 PM

Basic Legal Searching on Lexis.com.

### LEXIS NEXIS TRAINING

DATE: JUNE 19, 2002

PLACE: ROOM (TBA) NASSIF BUILDING

TIME: 12:00 AM – 1:00 PM

Using Shepard's on Lexis.com.

### LEXIS NEXIS TRAINING

DATE: JULY 17, 2002

PLACE: ROOM (TBA) NASSIF BUILDING

TIME: 12:00 AM – 1:00 PM

Open Forum.

## **IRRADIATED MAIL POSES CHALLENGES FOR DOT LAW LIBRARIES**

The postal turmoil of last fall created very serious disruptions to the mail service at DOT. Following the closing of the District's Brentwood facility on October 21, there was no delivery of mail for several months. With the resumption of mail delivery in early 2002, much of the mail being delivered was either outdated or so damaged by the irradiation process that it was not useable.

The irradiation process has adversely affected the DOT law libraries in particular inasmuch as most of the loose-leaf services send their inserts via the U.S. Mail. Interestingly, many of the publishers have still not fully comprehended the fact that mail sent to government agencies in Washington, DC will be irradiated. The solution to this problem, which is currently being addressed by the three DOT law libraries, resides in either having the publishers send the inserts via a delivery service or switching from print to online publications. The DOT Library's representative (Paulette Twine) to the Government Printing Office (GPO) Depository Program has communicated the concerns of the DOT Libraries regarding irradiation to her contacts at the Depository Program

### **DOT LAW LIBRARIES**

Hours: 8:00 AM – 4:00 PM, Monday – Friday

#### **DOT Headquarters Law Library**

Room 2200, Nassif Building, (202) 366-0749

Staff: Rosalind Romain, Law Librarian

#### **U.S. Coast Guard Law Library**

Room B726, U.S. Coast Guard

Headquarters Building, (202) 267-2536

Staff: Harriet Rusin, Interim Law Librarian

#### **FOB 10A (FAA) Law Library**

Room 923, FOB 10A Building, (202) 267-3174

Staff: Terry Dempsey, Law Librarian